

SJ Exhibit 11

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAMES GARAVAGLIA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:20-cv-01681-CDP
)	
CITY OF ST. LOUIS,)	
et al.,)	
)	
Defendants.)	

DEPOSITION OF CHANA MORTON
TAKEN ON BEHALF OF THE PLAINTIFF
APRIL 7, 2022

SJ Exhibit
11

Page 29	Page 31
<p>1 signed that either?</p> <p>2 A I did sign it.</p> <p>3 Q You did sign it?</p> <p>4 A Mm-hmm.</p> <p>5 Q But you don't believe you've read it?</p> <p>6 A No.</p> <p>7 Q The last page, which refers to all</p> <p>8 these Work Rules, do you know -- do you recall ever</p> <p>9 signing this?</p> <p>10 A Yes.</p> <p>11 Q Okay. All right. But your testimony</p> <p>12 is that you hadn't read it but you have signed this</p> <p>13 -- the Acknowledgment page?</p> <p>14 A Yes.</p> <p>15 Q Anybody ever talk to you about these</p> <p>16 rules?</p> <p>17 A The cross-training, yes. Talked to</p> <p>18 Judy.</p> <p>19 Q So there -- was the training on all</p> <p>20 of these rules? Did they discuss them?</p> <p>21 A I'm sorry, say it again?</p> <p>22 Q At that training, the cross-training,</p> <p>23 did they discuss all these rules?</p> <p>24 MS. HAMILTON: I would object that</p> <p>25 that mischaracterizes the witness's testimony.</p>	<p>1 Q Okay. And not since?</p> <p>2 A No.</p> <p>3 Q Do you know why you haven't had one?</p> <p>4 A No.</p> <p>5 MS. HAMILTON: And I will, just for</p> <p>6 the record, object to foundation. And that it</p> <p>7 calls for speculation.</p> <p>8 Q (BY MR. SCHMITZ) So I want to talk</p> <p>9 to you a little bit about Jim. You came in 2011;</p> <p>10 is that right? Just to clarify, I know you've</p> <p>11 testified, I just want to make sure I'm right. And</p> <p>12 Jim was an asset manager at that time?</p> <p>13 A Yes.</p> <p>14 Q Did you interact with him when he was</p> <p>15 an asset manager?</p> <p>16 A Not much.</p> <p>17 Q Not much? Okay. Do you recall if</p> <p>18 you had any interactions with him while he was an</p> <p>19 asset manager?</p> <p>20 A I'm sure I did.</p> <p>21 Q Do you recall what that would have --</p> <p>22 A I don't recall.</p> <p>23 Q All right. Did you have any</p> <p>24 involvement in his work or his duties when he was</p> <p>25 an asset manager?</p>
Page 30	Page 32
<p>1 She's saying she had a conversation about the</p> <p>2 cross-training policy, not that there was an actual</p> <p>3 training.</p> <p>4 Q (BY MR. SCHMITZ) Have you been to</p> <p>5 any training on these rules?</p> <p>6 A No.</p> <p>7 Q You had a discussion about them, you</p> <p>8 said, with Judy Armstrong?</p> <p>9 A Yes.</p> <p>10 Q Did you -- did she -- did you discuss</p> <p>11 each and every one of the rules?</p> <p>12 A No. Just the cross-training.</p> <p>13 Q Have you ever had a service rating?</p> <p>14 A Ever?</p> <p>15 Q Well, yeah, I should -- should</p> <p>16 rephrase that. Since you got to the Comptroller's</p> <p>17 office as the executive secretary, or assistant to</p> <p>18 the Comptroller.</p> <p>19 A Yes.</p> <p>20 Q Okay. Do you recall how many times</p> <p>21 you've had one?</p> <p>22 A Twice.</p> <p>23 Q Twice. Do you remember what years?</p> <p>24 A 2011 -- no, it would have to be 2012.</p> <p>25 And maybe 2013.</p>	<p>1 A No.</p> <p>2 Q Okay. Do you recall when he was</p> <p>3 promoted to Deputy Comptroller for finance and</p> <p>4 development?</p> <p>5 A Yes.</p> <p>6 Q And did your interactions with him</p> <p>7 increase at that time?</p> <p>8 A Yes.</p> <p>9 Q What were your interactions with him,</p> <p>10 typically? After his promotion?</p> <p>11 A If he had questions or needed to --</p> <p>12 information, I would help him. If it was something</p> <p>13 that I knew about. Sometimes items would come in</p> <p>14 for the Comptroller that the Deputy Comptroller</p> <p>15 would handle, so I would give those to him.</p> <p>16 Q Can you give us some examples of</p> <p>17 that?</p> <p>18 A Since he was still doing some of the</p> <p>19 asset, so any time documents or -- we'd get mail</p> <p>20 regarding leases or things that the City owned, I</p> <p>21 would refer that to Jim. Or if there were phone</p> <p>22 calls about assets, or something that the City</p> <p>23 owned, I would refer that to Jim.</p> <p>24 Q Okay. Do you know, did a lot of -- I</p> <p>25 want to make sure I phrase this right, so if you</p>

8 (Pages 29 to 32)

<p style="text-align: right;">Page 41</p> <p>1 procedure that you created?</p> <p>2 A Eunetter Steele probably.</p> <p>3 Q And who is Eunetter Steele?</p> <p>4 A She was Ivy Pinkston's assistant. Or</p> <p>5 executive secretary.</p> <p>6 Q And after Miss Ivy Pinkston left, did</p> <p>7 Miss Steele, did she remain with the Comptroller's</p> <p>8 office?</p> <p>9 A Yes.</p> <p>10 Q Do you know in what capacity?</p> <p>11 A She was still the executive</p> <p>12 secretary.</p> <p>13 Q Who did she report to?</p> <p>14 A To Ivy -- I guess they all reported</p> <p>15 to the Comptroller directly.</p> <p>16 Q Did she have the same classification</p> <p>17 as you?</p> <p>18 A No.</p> <p>19 Q So she was an executive secretary but</p> <p>20 she reported -- did she perform any of the same</p> <p>21 duties as you did?</p> <p>22 A For the Comptroller? No.</p> <p>23 Q No. Do you know what she did after</p> <p>24 she was the executive secretary to Ivy Pinkston?</p> <p>25 A She still did the bond documents,</p>	<p style="text-align: right;">Page 43</p> <p>1 Q Did Miss Steele have any involvement</p> <p>2 in these protocols that Miss Ivy Pinkston taught</p> <p>3 you when you first came on board?</p> <p>4 MS. HAMILTON: Objection, calls for</p> <p>5 speculation. Subject to that, you can answer.</p> <p>6 MR. NORWOOD: And I was going to join</p> <p>7 in the speculation objection.</p> <p>8 Q (BY MR. SCHMITZ) Just to clarify, if</p> <p>9 you know. If you have actual knowledge.</p> <p>10 A I don't know.</p> <p>11 Q Okay. Did you ever talk to Miss</p> <p>12 Steele about these procedures for the bond</p> <p>13 documents?</p> <p>14 MR. NORWOOD: Objection, asked and</p> <p>15 answered.</p> <p>16 MS. HAMILTON: You can answer.</p> <p>17 A Yes.</p> <p>18 Q (BY MR. SCHMITZ) Okay. Do you</p> <p>19 recall any of those conversations?</p> <p>20 A I don't recall specific</p> <p>21 conversations. She -- she was one of the people</p> <p>22 who trained me.</p> <p>23 Q Okay. So it wasn't just Miss Ivy</p> <p>24 Pinkston that --</p> <p>25 A Correct.</p>
<p style="text-align: right;">Page 42</p> <p>1 probably still did payroll for that section. I</p> <p>2 don't know what else she did.</p> <p>3 Q Was she ever part of -- so when the</p> <p>4 bond documents got to your desk, that was when it</p> <p>5 was ready for the Comptroller's signature, subject</p> <p>6 to your review; is that correct?</p> <p>7 A No. I wouldn't -- well --</p> <p>8 Q Subject -- does it sometimes come to</p> <p>9 your desk without it --</p> <p>10 A Subject to my review, yes.</p> <p>11 Q All right. So did Miss Steele, after</p> <p>12 Jim became Deputy Comptroller, was she part of the</p> <p>13 process of handling those documents and making sure</p> <p>14 they were in order before they got to you?</p> <p>15 A No. Jim replaced her with his own</p> <p>16 assistant.</p> <p>17 Q What did Miss Steele do after that?</p> <p>18 A She went to work for Judy Armstrong.</p> <p>19 Q Okay. Do you know what she did</p> <p>20 there?</p> <p>21 A They did personnel issue</p> <p>22 requisitions. I don't know what all she did.</p> <p>23 Q So she wasn't involved in the bond</p> <p>24 documents at that point?</p> <p>25 A No. I don't think so.</p>	<p style="text-align: right;">Page 44</p> <p>1 Q Who else trained you besides those</p> <p>2 two?</p> <p>3 A The Comptroller.</p> <p>4 Q At any point did you ever speak to</p> <p>5 the Comptroller about these procedures, or what you</p> <p>6 were taught, and then Jim not following the</p> <p>7 procedures?</p> <p>8 A Yes.</p> <p>9 Q When was that?</p> <p>10 A I don't recall a date.</p> <p>11 Q Do you recall what year?</p> <p>12 A It would have to be 2016.</p> <p>13 Q Was that the only time that you</p> <p>14 talked to her?</p> <p>15 A No.</p> <p>16 Q Okay. Do you recall other times?</p> <p>17 A It was continuous.</p> <p>18 Q What things were you telling the</p> <p>19 Comptroller?</p> <p>20 A Items were missing, he wasn't</p> <p>21 following what had been done with the documents for</p> <p>22 years.</p> <p>23 Q Was this something that you discussed</p> <p>24 with Jim at any point, or did you just inform the</p> <p>25 Comptroller?</p>

11 (Pages 41 to 44)

<p style="text-align: right;">Page 45</p> <p>1 A I know I discussed with both Jim and</p> <p>2 Sheila.</p> <p>3 Q Sheila being who?</p> <p>4 A Jim's assistant.</p> <p>5 Q What's her last name?</p> <p>6 A I forgot her last name. Oh, my gosh.</p> <p>7 Q That's okay. Did you have to</p> <p>8 communicate with her frequently when Jim was Deputy</p> <p>9 Comptroller?</p> <p>10 A Not every day. Only when we were</p> <p>11 doing bond deals.</p> <p>12 Q Do you know whether or not she was</p> <p>13 the one who prepared those documents and got them</p> <p>14 in order?</p> <p>15 A It was very confusing. I was never</p> <p>16 sure.</p> <p>17 Q So you mentioned things not being in</p> <p>18 order or missing signatures. Anything else?</p> <p>19 A There was a time where the documents</p> <p>20 ended up out at the airport.</p> <p>21 Q Do you remember what -- what year it</p> <p>22 was, or when?</p> <p>23 A I don't remember the year.</p> <p>24 Q Do you remember what type of bond</p> <p>25 issue it was?</p>	<p style="text-align: right;">Page 47</p> <p>1 Comptroller or Jim or Sheila?</p> <p>2 A Well, Eunetter was doing something</p> <p>3 different, so it was always the Comptroller,</p> <p>4 Sheila, or Jim.</p> <p>5 Q Anybody else besides those people?</p> <p>6 A Probably talked to Michele Graham.</p> <p>7 Q Okay. What was her role?</p> <p>8 A She's in our office and she's the</p> <p>9 contract supervisor.</p> <p>10 Q Who does she report to?</p> <p>11 A At that time, I'm not sure. I think</p> <p>12 she reported to the deputy, Bev Fitzsimmons.</p> <p>13 Q Okay. Did you believe it was your</p> <p>14 responsibility to speak to either Jim or Sheila or</p> <p>15 the Comptroller about whether or not these</p> <p>16 documents were in order?</p> <p>17 A Yes.</p> <p>18 Q Did you believe that because you were</p> <p>19 told that directly from the Comptroller?</p> <p>20 A No.</p> <p>21 Q Okay. Why did you believe that?</p> <p>22 A Because we're responsible -- I felt</p> <p>23 responsible for the documents. To make sure --</p> <p>24 Q Can you -- I'm sorry, I didn't mean</p> <p>25 to cut you off. I'm sorry.</p>
<p style="text-align: right;">Page 46</p> <p>1 A No.</p> <p>2 Q Do you recall if you spoke to Sheila</p> <p>3 or to Jim about it?</p> <p>4 A I spoke with Sheila about it.</p> <p>5 Q Do you recall what happened or what</p> <p>6 was said?</p> <p>7 A I just let her know that the airport</p> <p>8 called me, the contract officer out there, and was</p> <p>9 confused about some other documents that were --</p> <p>10 that she received. And I asked her to read it to</p> <p>11 me and I realized they were bond documents, and I</p> <p>12 asked her to send them to me.</p> <p>13 And I know the contract person</p> <p>14 mentioned that they were in a folder, but the</p> <p>15 folder wasn't marked. So I talked to Sheila, and I</p> <p>16 said if these are bond documents, um, when you put</p> <p>17 them in a folder, you should mark who -- you know,</p> <p>18 what they are, who you are, so that they'll know if</p> <p>19 they go out there by accident, or something should</p> <p>20 happen, people will know.</p> <p>21 Q Did you ever speak to Jim about it,</p> <p>22 or just to Sheila?</p> <p>23 A Just to Sheila.</p> <p>24 Q Did you ever discuss these issues</p> <p>25 with Miss Steele? Or was it always either the</p>	<p style="text-align: right;">Page 48</p> <p>1 A No, go ahead.</p> <p>2 Q I was just going to ask what you</p> <p>3 meant by that, felt responsible. Why?</p> <p>4 A Because receiving the documents is</p> <p>5 part of my responsibility.</p> <p>6 Q Well, but it goes beyond that a</p> <p>7 little bit; right? You're not just receiving them</p> <p>8 and then waiting for the Comptroller to hand it to</p> <p>9 her. You're involved in making sure they're</p> <p>10 correct. Is that right?</p> <p>11 A Yes.</p> <p>12 Q Okay. You were never told directly</p> <p>13 to do that. Is that right?</p> <p>14 MS. HAMILTON: Is there a question?</p> <p>15 Q (BY MR. SCHMITZ) Is that right?</p> <p>16 MS. HAMILTON: I would just object</p> <p>17 that it mischaracterizes her prior testimony</p> <p>18 regarding her training. Subject to that, you can</p> <p>19 answer. Sorry.</p> <p>20 A When I spoke with Eunetter Steele and</p> <p>21 Ivy, it was part of our discussion.</p> <p>22 Q (BY MR. SCHMITZ) Okay.</p> <p>23 A And part of the training, I will say.</p> <p>24 Q So let me be clear because I want to</p> <p>25 make sure we get your testimony correct. Were you</p>

12 (Pages 45 to 48)

<p style="text-align: right;">Page 57</p> <p>1 yes.</p> <p>2 Q How about after that?</p> <p>3 A Not in the beginning. I'd say</p> <p>4 periodically afterwards, yes. Not in the</p> <p>5 beginning.</p> <p>6 Q Okay. If you turn the page, it's</p> <p>7 still under paragraph 9, it mentions Rochelle</p> <p>8 Pruitt. Are you familiar with her?</p> <p>9 A Yes.</p> <p>10 Q Okay. What's her -- what is her</p> <p>11 title?</p> <p>12 A At that time she worked in the</p> <p>13 Mayor's office. I don't know her title.</p> <p>14 Q Okay. Did she typically take the</p> <p>15 documents directly to you as is listed -- written</p> <p>16 in here?</p> <p>17 A Yes.</p> <p>18 Q Okay. And then you took the</p> <p>19 documents to the Register?</p> <p>20 A Yes.</p> <p>21 Q And this was all part of what you</p> <p>22 were taught by Miss Steele?</p> <p>23 A Yes.</p> <p>24 Q In your training, was it ever talked</p> <p>25 about, the movement and documents and how that</p>	<p style="text-align: right;">Page 59</p> <p>1 Q Yes.</p> <p>2 A I don't know how Eunetter got the</p> <p>3 bond documents to the City Counselor's office.</p> <p>4 Q Well, not the City Counselor's</p> <p>5 office, but from one office to the other. Like to</p> <p>6 where the Comptroller -- like to where your office;</p> <p>7 for example.</p> <p>8 A We have garage attendants, we have a</p> <p>9 garage that the Comptroller is over, but we have</p> <p>10 attendants there, and they pick up documents and</p> <p>11 take them back and forth.</p> <p>12 Q Are these City employees?</p> <p>13 A Yes.</p> <p>14 Q Is it one particular person? Or --</p> <p>15 A No. I think maybe they have four</p> <p>16 people? Maybe five?</p> <p>17 Q Are they employees of the</p> <p>18 Comptroller's office?</p> <p>19 A Yes.</p> <p>20 Q Do you know what their titles are?</p> <p>21 A I believe garage attendants.</p> <p>22 Q In your review of this document, did</p> <p>23 you see anything about those garage attendants?</p> <p>24 A No.</p> <p>25 Q But you would agree you read about</p>
<p style="text-align: right;">Page 58</p> <p>1 should be done? How they should be -- is from one</p> <p>2 building to another, how that should be taken?</p> <p>3 A From one building to another?</p> <p>4 Q Right.</p> <p>5 A No.</p> <p>6 Q Okay. Are you familiar with the</p> <p>7 interoffice mail?</p> <p>8 A Yes.</p> <p>9 Q Okay. Were bond documents ever</p> <p>10 passed along through interoffice mail?</p> <p>11 A No.</p> <p>12 Q How was it done?</p> <p>13 A Usually it gets to the City</p> <p>14 Counselor's office. I'm not sure what they did to</p> <p>15 get it to the City Counselor's office. But I know</p> <p>16 that Joan Jennings would walk it to the Mayor's</p> <p>17 office, and either Rochelle or Sherry Wibbenmeyer</p> <p>18 would walk the documents to me.</p> <p>19 Q There were two different offices</p> <p>20 within the Comptroller's office; right? The</p> <p>21 physical locations?</p> <p>22 A Yes.</p> <p>23 Q And was there a person that delivered</p> <p>24 documents between those two offices?</p> <p>25 A Bond documents?</p>	<p style="text-align: right;">Page 60</p> <p>1 other procedures about transferring documents, you</p> <p>2 know, between the Mayor's office and the City</p> <p>3 Counselor's office, that involved specific</p> <p>4 individuals; right?</p> <p>5 A Yes. And the Treasurer's office.</p> <p>6 They have a courier.</p> <p>7 Q Do you know who that is?</p> <p>8 A Tony.</p> <p>9 Q Did you see Tony's name in here?</p> <p>10 A I thought I did. I don't know what</p> <p>11 page it's on but I did see it this week. But the</p> <p>12 Treasurer's courier. You could call him and he'll</p> <p>13 courier it.</p> <p>14 Q But none of these individuals are</p> <p>15 located on site at the office where Jim was working</p> <p>16 at; right? Where the Deputy Comptroller is</p> <p>17 stationed?</p> <p>18 A They're not located even at City</p> <p>19 Hall. Oh, there is something on number 10 where it</p> <p>20 talks about "the Municipal Garage courier," they</p> <p>21 "courier to the Treasurer."</p> <p>22 So they did use the couriers. And</p> <p>23 then sometimes the Treasurer's courier will bring</p> <p>24 them back.</p> <p>25 Q This is the Treasurer's courier?</p>

15 (Pages 57 to 60)

<p style="text-align: right;">Page 85</p> <p>1 attendant to hand-deliver it.</p> <p>2 Q And then did you receive confirmation</p> <p>3 that it had been delivered?</p> <p>4 A He signed the card.</p> <p>5 Q Okay. And you said a card. What</p> <p>6 card would that be?</p> <p>7 A The card we attached, like a</p> <p>8 Certified letter.</p> <p>9 Q Is it different than the USPS</p> <p>10 Certified Mail receipt, the green card? This was</p> <p>11 something your office uses or --</p> <p>12 A No. No. It's not different. I just</p> <p>13 used that card.</p> <p>14 Q Used that card, but he --</p> <p>15 A Signed, mm-hmm.</p> <p>16 Q All right. I'm going to circle back</p> <p>17 to this exhibit but I'm just going to ask you some</p> <p>18 questions not related to it.</p> <p>19 So you talked -- you testified that</p> <p>20 you and -- the Comptroller informed you that</p> <p>21 Friday, I believe it was June the 28th, that the</p> <p>22 events of the prior two days was related to his</p> <p>23 placement on forced leave; is that correct? Do I</p> <p>24 have that right?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 87</p> <p>1 sent to you?</p> <p>2 A Was that June 26?</p> <p>3 Q Do you know anything about Bev</p> <p>4 Fitzsimmons sending any information to the Mayor's</p> <p>5 office? Were you a part of that at all?</p> <p>6 A No. No.</p> <p>7 Q Did you ever have any verbal</p> <p>8 conversations with Tom Ray, or were they all by</p> <p>9 email?</p> <p>10 A Email. All by email.</p> <p>11 Q Do you know who Roger Denny is?</p> <p>12 A No.</p> <p>13 Q Do you recall if you've ever</p> <p>14 communicated with an attorney at Spencer Fane</p> <p>15 related to this issue?</p> <p>16 A Yes. He was emailing me.</p> <p>17 Q Okay. Did that refresh your</p> <p>18 recollection that it was --</p> <p>19 A Yes. Yeah.</p> <p>20 Q Okay.</p> <p>21 A But that's not the norm. Normal way.</p> <p>22 But...</p> <p>23 Q What is the normal way?</p> <p>24 A That an outside counsel would contact</p> <p>25 me about documents.</p>
<p style="text-align: right;">Page 86</p> <p>1 Q So did you witness any of the events</p> <p>2 that transpired on those two days?</p> <p>3 A Yes.</p> <p>4 Q Okay. Do you know what -- what the</p> <p>5 issue was?</p> <p>6 A I know there was a bond closing that</p> <p>7 was happening that Friday, and I know prior to</p> <p>8 that, it had gone to E&A and there was a lot of</p> <p>9 confusion with that, and so it finally passed</p> <p>10 through E&A and so we were waiting on these</p> <p>11 documents.</p> <p>12 And I received an email from Tom Ray</p> <p>13 telling me that Jim had the documents, you know,</p> <p>14 was circulating the documents and that the</p> <p>15 documents were in the Mayor's office, and that Jim</p> <p>16 asked the Mayor's secretary to put the documents</p> <p>17 into the interoffice mail, once the Mayor has</p> <p>18 already signed it.</p> <p>19 And Tom Ray knew that that was not</p> <p>20 the normal procedure, and that normally the Mayor's</p> <p>21 office would walk the documents to the Comptroller.</p> <p>22 Especially with the closing being so close.</p> <p>23 And so I was made aware that the</p> <p>24 documents were not heading to our office.</p> <p>25 Q Do you know what date that email was</p>	<p style="text-align: right;">Page 88</p> <p>1 Q Okay. And did you bring that to the</p> <p>2 attention of the Comptroller, that outside counsel</p> <p>3 was communicating with you?</p> <p>4 A I don't recall. I probably did.</p> <p>5 Q Do you know why he communicated with</p> <p>6 you? And I'm speaking to Roger -- about Roger</p> <p>7 Denny.</p> <p>8 MS. HAMILTON: I'm going to object</p> <p>9 that it calls for speculation. But subject to</p> <p>10 that, you can answer if you know.</p> <p>11 A No, I -- I'm not sure why he did.</p> <p>12 Q (BY MR. SCHMITZ) Okay. So we have a</p> <p>13 -- documents. This is part of what we just got</p> <p>14 today so we do not have copies or an exhibit. I'll</p> <p>15 mark it as Exhibit X just so we can --</p> <p>16 MS. HAMILTON: The number?</p> <p>17 MR. SCHMITZ: It starts with 2120 and</p> <p>18 they're in order. Looks like it goes all the way</p> <p>19 to 2139. I think a lot of it's repetitive. I have</p> <p>20 obviously had a very short opportunity to review</p> <p>21 it.</p> <p>22 MS. HAMILTON: 2120 to 49 you said?</p> <p>23 MR. BLANKE: 39.</p> <p>24 MR. SCHMITZ: 2139, yes. And for the</p> <p>25 record, we'll just mark it as Exhibit X.</p>

<p style="text-align: right;">Page 113</p> <p>1 promotion into that position?</p> <p>2 A Yes.</p> <p>3 Q Okay. Did you interact with her on a</p> <p>4 regular basis? Or --</p> <p>5 A No.</p> <p>6 Q Okay. What was your relationship</p> <p>7 with her prior to her promotion?</p> <p>8 A I don't understand.</p> <p>9 Q I mean did you -- you worked</p> <p>10 together; right?</p> <p>11 A A little bit.</p> <p>12 Q A little?</p> <p>13 A Yeah.</p> <p>14 Q I mean, did you have a good working</p> <p>15 relationship to the extent that you worked</p> <p>16 together?</p> <p>17 A Sometimes.</p> <p>18 Q Sometimes, okay. Do you recall what</p> <p>19 her position was before she got promoted?</p> <p>20 A Not exactly, no.</p> <p>21 MR. SCHMITZ: I'm going to ask for a</p> <p>22 short break again.</p> <p>23 MS. McMILLEN: Time, for the record?</p> <p>24 THE REPORTER: 12:43.</p> <p>25 (Off the record.)</p>	<p style="text-align: right;">Page 115</p> <p>1 Q Why?</p> <p>2 A Tom Ray knows how we circulate</p> <p>3 documents. He was basically giving me a red alert</p> <p>4 that this was -- this was unusual.</p> <p>5 Q Okay. And Mr. Garavaglia was copied</p> <p>6 on that email?</p> <p>7 A Yes.</p> <p>8 Q As part of that red alert that you</p> <p>9 identified. Is that right?</p> <p>10 A Yes.</p> <p>11 Q Were you -- you had talked about or</p> <p>12 touched on a meeting that took place on July 2 of</p> <p>13 2019 that occurred in the Comptroller's office with</p> <p>14 Mr. Garavaglia?</p> <p>15 A Yes.</p> <p>16 Q Let's talk a little bit more about</p> <p>17 that. What time of day was that meeting?</p> <p>18 A I called Jim at 7 AM that morning and</p> <p>19 asked him to come to the office instead of going to</p> <p>20 his office. To come to the Comptroller's office.</p> <p>21 So he got there at 7:30, around 7:30, and that's</p> <p>22 when he was presented the letter in the conference</p> <p>23 room.</p> <p>24 Q Okay. And the letter we're talking</p> <p>25 about is the letter that was dated July 2, 2019?</p>
<p style="text-align: right;">Page 114</p> <p>1 MR. SCHMITZ: We are finished. For</p> <p>2 now.</p> <p>3 EXAMINATION</p> <p>4 QUESTIONS BY MR. NORWOOD:</p> <p>5 Q Okay. I have a few. I want to talk</p> <p>6 about, you touched on this, but with respect to</p> <p>7 your ratings, I think you had indicated that maybe</p> <p>8 in 2011 and 2012, you received ratings from the</p> <p>9 Comptroller; is that right?</p> <p>10 A Yes.</p> <p>11 Q And thereafter, you had not received</p> <p>12 any ratings?</p> <p>13 A I have not received any more ratings.</p> <p>14 Q From the Comptroller?</p> <p>15 A Correct.</p> <p>16 Q And just for the record, you are an</p> <p>17 African American female; is that right?</p> <p>18 A Yes.</p> <p>19 Q That email you received from Tom Ray</p> <p>20 that we talked about, I believe it was Wednesday,</p> <p>21 June the 26th of 2019. Is that right?</p> <p>22 A Yes.</p> <p>23 Q Was that unusual for you to get an</p> <p>24 email like that?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 116</p> <p>1 A That's correct.</p> <p>2 Q Regarding the forced leave?</p> <p>3 A Yes.</p> <p>4 Q And who was there at that meeting?</p> <p>5 A There was Judy Armstrong, Jason</p> <p>6 Fletcher, Kelly Anderson, and Larry, one of the</p> <p>7 marshals.</p> <p>8 Q And Mr. Garavaglia?</p> <p>9 A And Mr. Garavaglia.</p> <p>10 Q And, now, did you sit in on the</p> <p>11 actual meeting itself?</p> <p>12 A No.</p> <p>13 Q All right. How long did that meeting</p> <p>14 last?</p> <p>15 A Not very long. Maybe eight to ten</p> <p>16 minutes.</p> <p>17 Q Were other people in the office</p> <p>18 that --</p> <p>19 A No.</p> <p>20 Q Why was that?</p> <p>21 A It was before work hours, official</p> <p>22 work hours.</p> <p>23 Q Okay. So all of this transpired with</p> <p>24 respect to delivery of the letter, and the meeting</p> <p>25 you say lasted about ten minutes?</p>

<p style="text-align: right;">Page 117</p> <p>1 A Yes. Maybe less than that.</p> <p>2 Q And -- and this was before working</p> <p>3 hours had started. Is that right?</p> <p>4 A That's correct.</p> <p>5 Q I think you touched on this, but have</p> <p>6 you ever heard of, since you have been associated</p> <p>7 with the Comptroller's office, a situation where</p> <p>8 important documents like this would be sent in</p> <p>9 interoffice mail?</p> <p>10 A Never.</p> <p>11 Q Do you know why Jim Garavaglia would</p> <p>12 have sent them in interoffice mail --</p> <p>13 MR. SCHMITZ: Objection, calls for</p> <p>14 speculation.</p> <p>15 MR. NORWOOD: Well, let me get it</p> <p>16 out.</p> <p>17 Q (BY MR. NORWOOD) Do you know why,</p> <p>18 given the fact that Mr. Garavaglia was going to be</p> <p>19 on vacation the following day, he would have</p> <p>20 instructed the Mayor's secretary to put those</p> <p>21 important documents in interoffice mail?</p> <p>22 MR. SCHMITZ: Again, objection, calls</p> <p>23 for speculation.</p> <p>24 Q (BY MR. NORWOOD) If you know.</p> <p>25 A I don't know.</p>	<p style="text-align: right;">Page 119</p> <p>1 A Yes.</p> <p>2 Q I want to just read that. It says,</p> <p>3 (Quote as read):</p> <p>4 During this entire chaotic process on</p> <p>5 Thursday, July 27, I did not receive</p> <p>6 any verbal or written communication</p> <p>7 from James Garavaglia or his</p> <p>8 assistant, Sheila Woods.</p> <p>9 Why did you write that there?</p> <p>10 A Because that was unusual, for me to</p> <p>11 get communication from outside people and the</p> <p>12 Comptroller's own deputy did not follow up or call</p> <p>13 to see how things were going. I didn't hear</p> <p>14 anything from either one of them.</p> <p>15 Q Okay. You go further and you say,</p> <p>16 (Quote as read):</p> <p>17 I believe they are ultimately</p> <p>18 responsible for the proper execution</p> <p>19 of these types of emergency</p> <p>20 documents.</p> <p>21 Why did you write that?</p> <p>22 A Because I felt that they are</p> <p>23 ultimately responsible. They are responsible, but</p> <p>24 now we became responsible for the documents.</p> <p>25 Q And I think you talked about that</p>
<p style="text-align: right;">Page 118</p> <p>1 Q Let me -- if you could turn to</p> <p>2 Exhibit O? Do you have that in front of you?</p> <p>3 A Yes.</p> <p>4 Q And I'm going to direct your</p> <p>5 attention to what they have repaginated as page 12,</p> <p>6 which is the memo that you prepared for Miss Nancy</p> <p>7 Kistler dated July 12, 2019. Do you see that?</p> <p>8 A Yes.</p> <p>9 Q Let me turn to the last paragraph of</p> <p>10 that letter, which is on page 4, and there is an</p> <p>11 asterisk. Do you see that?</p> <p>12 MR. BLANKE: Did you say page 4? Oh,</p> <p>13 at the top.</p> <p>14 MR. NORWOOD: Well, it's page 15 of</p> <p>15 the repaginated but it's page 4 of the memo that</p> <p>16 you wrote.</p> <p>17 Q (BY MR. NORWOOD) Are you there?</p> <p>18 Page --</p> <p>19 A Yes.</p> <p>20 Q Exhibit O, redesignated as page 15.</p> <p>21 It's page 4 of your memo. Is that right?</p> <p>22 A Yes.</p> <p>23 Q All right. Now, you have an asterisk</p> <p>24 there, and a couple of sentences following that</p> <p>25 asterisk; is that correct?</p>	<p style="text-align: right;">Page 120</p> <p>1 earlier where essentially you had to drop the work</p> <p>2 you would normally do to make sure that these</p> <p>3 important documents were executed before the</p> <p>4 deadline.</p> <p>5 A That's correct.</p> <p>6 Q And then you go further, you say,</p> <p>7 (Quote as read):</p> <p>8 Instead, many of us had to stop doing</p> <p>9 our own work for two days to make</p> <p>10 sure that these Muni Court documents</p> <p>11 were processed timely and correctly.</p> <p>12 Is that accurate?</p> <p>13 A That's correct.</p> <p>14 Q All right. And then it says, (Quote</p> <p>15 as read):</p> <p>16 This type of lack of communication</p> <p>17 and confusion is, unfortunately,</p> <p>18 happening more and more frequently,</p> <p>19 which is unfortunate as this process</p> <p>20 prior to Jim taking over as deputy</p> <p>21 ran quite smoothly and</p> <p>22 collaboratively within the</p> <p>23 departments for many years.</p> <p>24 Is that accurate?</p> <p>25 A That's correct.</p>

30 (Pages 117 to 120)

<p style="text-align: right;">Page 121</p> <p>1 Q And when you talked about the</p> <p>2 pre-James Garavaglia process working smoothly and</p> <p>3 cooperatively for many years, tell us about that.</p> <p>4 A All of us assistants worked together,</p> <p>5 we worked together with Ivy, we worked together</p> <p>6 with Eunetter, we always knew where the documents</p> <p>7 were, we always knew the documents were coming</p> <p>8 days, even weeks before the documents came.</p> <p>9 And the assistants, we always emailed</p> <p>10 each other, who has the documents? You have it,</p> <p>11 okay, Chana, I'm bringing it to you, I got it.</p> <p>12 Eunetter, I have the documents, I put it down, you</p> <p>13 know, I brought them to the register's office. It</p> <p>14 was constant communication and it was just smooth.</p> <p>15 Everyone knew what they were supposed to do.</p> <p>16 Q And why is that important with</p> <p>17 respect to dealing with the Mayor, the president of</p> <p>18 the Board of Aldermen, the Comptroller, why that</p> <p>19 was important for that collaboration to take place</p> <p>20 to know where people were so that documents could</p> <p>21 be properly executed?</p> <p>22 MR. SCHMITZ: Objection, it calls for</p> <p>23 speculation.</p> <p>24 Q (BY MR. NORWOOD) If you know.</p> <p>25 A Because these are financial</p>	<p style="text-align: right;">Page 123</p> <p>1 A Yes. That's correct.</p> <p>2 Q All right. And why did you have</p> <p>3 discussions with Jim about problems with those</p> <p>4 documents?</p> <p>5 A Because items were missing, or we</p> <p>6 didn't know where the documents were. Sheila</p> <p>7 wouldn't know where the documents were. At one</p> <p>8 point Jim was trying to walk the documents around,</p> <p>9 which is not something -- because he doesn't know</p> <p>10 their schedules, he doesn't know if the Mayor's</p> <p>11 there, he doesn't know if the Comptroller, you</p> <p>12 know, and so we tried to get him into our system.</p> <p>13 He just never did conform. Never.</p> <p>14 Q Okay. And you had those discussions</p> <p>15 with Sheila as well?</p> <p>16 A Yes.</p> <p>17 Q And what was her response?</p> <p>18 A She would cry. She would cry.</p> <p>19 Q She would cry in response to your</p> <p>20 suggesting that there be more collaboration with</p> <p>21 these documents to make sure they were properly</p> <p>22 executed?</p> <p>23 A Yes. Because she would say, well,</p> <p>24 Jim is telling me this, and you're telling me that,</p> <p>25 and so she was just kinda in the middle so she</p>
<p style="text-align: right;">Page 122</p> <p>1 documents. Normally these are financial documents.</p> <p>2 It's very important, there's always deadlines, but</p> <p>3 more importantly, the elected officials, they have</p> <p>4 their own meetings and schedules and just to</p> <p>5 collaborate all the schedules, you know, all the</p> <p>6 secretaries, all of us will work together, well,</p> <p>7 she's here, okay, we'll give it to her and make</p> <p>8 sure she has it, and it's just important, regarding</p> <p>9 their schedules, to get these financial documents</p> <p>10 done correctly and without any bumps.</p> <p>11 Q And after Jim became Deputy</p> <p>12 Comptroller, finance and development, did that</p> <p>13 process change?</p> <p>14 A Yes. So we never knew when the</p> <p>15 documents were coming. And like I said before, a</p> <p>16 lot of times Sheila wouldn't put it in a marked</p> <p>17 envelope, or she wouldn't communicate with us and</p> <p>18 she would always say, well, Jim said to do this,</p> <p>19 Jim said. So we tried to work together with her to</p> <p>20 get her into the fold of how we usually do things</p> <p>21 but it never happened.</p> <p>22 Q Okay. All right. And I believe you</p> <p>23 testified that you had discussions with Jim about</p> <p>24 issues as they were developing over the -- after he</p> <p>25 became Deputy Comptroller; is that correct?</p>	<p style="text-align: right;">Page 124</p> <p>1 would cry.</p> <p>2 Q All right. Okay. And did that</p> <p>3 happen fairly often?</p> <p>4 A Yes.</p> <p>5 Q Let me hand you what had been</p> <p>6 previously marked as Garavaglia Deposition Exhibit</p> <p>7 14. And I think you cleared this up but I just</p> <p>8 want to make sure we get this cleared up squarely</p> <p>9 for the record.</p> <p>10 MR. BLANKE: What is this?</p> <p>11 MR. NORWOOD: This is Garavaglia</p> <p>12 Exhibit 14.</p> <p>13 MR. BLANKE: Sorry, Ron, I didn't</p> <p>14 know you had these.</p> <p>15 Q (BY MR. NORWOOD) You had, in</p> <p>16 response to counsel's question, you had identified</p> <p>17 Waste Management, an issue with a Waste Management</p> <p>18 contract for which you prepared a document for the</p> <p>19 Comptroller to sign.</p> <p>20 Do you recall that?</p> <p>21 A Yes.</p> <p>22 Q All right. And then I believe you</p> <p>23 clarified that, and when he talked about St. Louis</p> <p>24 Composting, that refreshed your recollection that</p> <p>25 in fact what you were talking about was the</p>

31 (Pages 121 to 124)